

Docket No. RWBP101US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **PATENT** application of:

Applicant: John P. Graham et al.

U.S. Patent No.: 6,929,465

Application No.: 10/067,012

For: **TIMER CIRCUIT FOR VALVE ACTIVATION IN OIL BURNER**

SYSTEM
08/17/2005 EFLORES 00000129 10067012
Issue Date: August 16, 2005 01 FC:1011 300.00 OP
Filing Date: February 4, 2002 02 FC:1111 500.00 OP
Examiner: Josiah C. Cocks 03 FC:1311 200.00 OP
Art Unit: 3749 04 FC:1201 200.00 OP
05 FC:1202 100.00 OP
06 FC:1252 450.00 OP

**REQUEST FOR EXCUSE OF ERROR FOR FAILURE TO NOTIFY OFFICE OF
CHANGE IN ENTITY STATUS, AND SUBMISSION OF DEFICIENCY PAYMENT
UNDER 37 C.F.R. § 1.28(c) AND MPEP § 509.03**

Mail Stop Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

08/17/2005 EFLORES ~~00000106 6929465~~
01 FC:1201 ~~200.00 OP~~
02 FC:1202 ~~100.00 OP~~

Dear Sir:

This is a request to excuse an error made by applicant in the above application. More particularly, this is a request to excuse an error in failing to timely notify the U.S. Patent and Trademark Office of a change in entity status from a small entity to a large entity. In addition, applicant herein submits the appropriate deficiency payment in accordance with the rules set forth in 37 C.F.R. § 1.28(c) and MPEP § 509.03.

The applicant's assignee, R. W. Beckett Corporation, is majority owned by an individual who also is a majority owner of other companies that employ various individuals. While each individual company has less than 500 employees, in January of 1998, the cumulative employee total of all the companies exceeded 500 employees.

08/17/2005 EFLORES 00000104 6929465

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Recently, it has come to our attention that employees of each of the majority owned companies are to be added together for purposes of determining whether an applicant is a large or small entity. Accordingly, the payment of some of the fees in the above application as a small entity since January of 1998 has been in error, however, such error was inadvertent.

Therefore in accordance with 37 C.F.R. §§ 1.28(c)(1) and 1.28(c)(2), below is an itemization of the payment deficiencies in the above application.

Date: February 4, 2002	Payment of Government Filing Fee	
Filing Fee: amount paid--\$370	Large Entity Fee: \$1,000	Deficiency: \$630
Add'l Claims: amount paid--\$60	Large Entity Fee: \$300	Deficiency: \$240

Date: June 2, 2004	Payment of a Two-month Extension Fee	
Ext. Fee: amount paid--\$210	Large Entity Fee: \$450	Deficiency: \$240

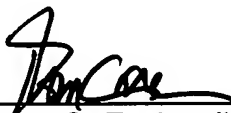
Total Deficiency Payment Owed: \$1,110

Enclosed is a check for the deficiency owed of \$1,110.

Should the U.S. Patent and Trademark Office feel that a telephone interview would be helpful to facilitate favorable resolution of the above-identified matter, the Office is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this request, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733.

Respectfully submitted,
ESCHWEILER & ASSOCIATES, LLC

By 
Thomas G. Eschweiler
Reg. No. 36,981

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Cleveland, Ohio 44114
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: August 11, 2005


Christine Gillroy